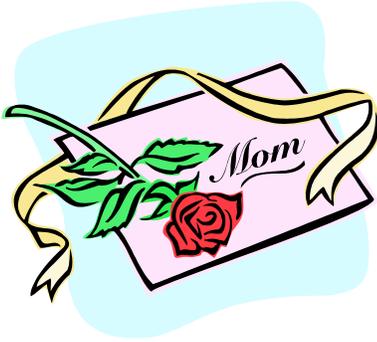


May 6, 2009



7:00 Mayor and Council Meeting

Beachwood Municipal Complex
1600 Pinewald Rd.

Call to Order



Flag Salute

While we pray for the safe return of our serving men and women, we must remember that 104 servicemen from New Jersey have been killed in Iraq and Afghanistan.

Our war dead must always be remembered. Their Heroism deserves its glory, so too does the bravery of each who entered the unknown of conflict and gave their lives to the cause of Freedom. The greatest tribute we can give is remembering our Honored Dead. In their memory, a moment of silence and a prayer for all our disabled vets and those missing in action and the swift return of all our serving men and women.

OPENING STATEMENT: *Ladies and Gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this meeting of Mayor and Council of the Borough of Beachwood is listed in the notice of meetings posted on the Bulletin Board, located in the Municipal Complex, posted on the Municipal Website and delivered to the Asbury Park Press on January 10, 2009.*

ROLL CALL MEMBERS PRESENT: Mayor Ronald Jones

COUNCILMEMBERS: Katina L. Clark Steven Komsa
 Beverly Clayton Ronald Roma
 Gregory Feeney Bonnie Verga

Absent:

Time has been allocated under Borough Code 2-6.9 for the public discussion by individuals. Citizens are welcome to address the Mayor and Council on any governmental item of concern to them, whether or not it is scheduled on the

TO CLOSE:

Motion: Roma Second: Komsa
 Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
 Abstain: Absent:

RESOLUTION
 #2009-154 A

EMERGENCY TEMPORARY RESOLUTION

WHEREAS, an emergent condition has arisen with respect to the ability of the Borough of Beachwood to continue paying its employees and vendors; and

WHEREAS, the Borough Council has not yet adopted the 2009 budget; and

WHEREAS, no adequate provision has been made in the 2009 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2009 pursuant to the provisions of Chapter 96,P.L.1951 (N.J. S. 40A:4-20) including this resolution total \$ 4,899,394.87

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all members thereof affirmatively concurring) that in accordance with N.J.S. 40A:4-20:

An emergency temporary appropriation be and the same is hereby made for:

	2009	SALARY & WAGES	OTHER EXPENSES	TOTAL
1	MUNICIPAL CLERK	15,000.00		15,000.00
2	MAYOR & COUNCIL	15,000.00		15,000.00
3	REVENUE ADMIN.(TAX			
4	COLLECTION)	20,000.00	2,000.00	22,000.00
5	TAX ASSESSMENT	10,000.00	1,000.00	11,000.00
6	ADVERTISING		2,000.00	2,000.00
7	POSTAGE		5,000.00	5,000.00
8	FINANCIAL ADMINISTRATION	15,000.00	15,000.00	30,000.00
9	ENGINEERING		20,000.00	20,000.00
10	PLANNING BOARD	5,000.00	5,000.00	10,000.00
11	UNIFORM CONSTRUCTION CODE	20,000.00	750.00	20,750.00
12	LEGAL OTHER		20,000.00	20,000.00
13	ENGINEERING		20,000.00	20,000.00
14	LIABILITY INSURANCE		36,000.00	36,000.00
15	WORKERS COMPENSATION		77,000.00	77,000.00
16	CODE ENFORCEMENT	15,000.00	600.00	15,600.00
17	UNIFORM CONSTRUCTION	20,000.00	750.00	20,750.00
18	CROSSING GUARDS	10,000.00		10,000.00
19	OFFICE OF EMERGENCY MGT.	2,000.00	500.00	2,500.00
20	FIRE CO. OTHER		10,000.00	10,000.00
21	EMPLOYEES GROUP HEALTH		100,000.00	100,000.00
22	POLICE	200,000.00	20,000.00	220,000.00

22	FIRE PREVENTION	4,000.00	5,000.00	9,000.00
23	FIRST AID		5,000.00	5,000.00
24	PROSECUTOR SERVICES		5,000.00	5,000.00
25	SOLID WASTE		100,000.00	100,000.00
26	STREETS AND ROADS	10,000.00		10,000.00
27	PUBLIC WORKS	30,000.00	2,500.00	32,500.00
28	SNOW REMOVAL		5,000.00	5,000.00
29	GARBAGE OTHER		5,000.00	5,000.00
30	BUILDINGS AND GROUNDS	40,000.00	20,000.00	60,000.00
31	VEHICLE MAINTENANCE	20,000.00	20,000.00	40,000.00
32	RECREATION	250.00	1,000.00	1,250.00
33	BEACH		1,000.00	1,000.00
34	CELEBRATION PUBLIC EVENTS		150.00	150.00
35	ENVIRONMENTAL COMMISSION		250.00	250.00
36	RECYCLING	30,000.00	10,000.00	40,000.00
37	ELECTRICITY		25,000.00	25,000.00
38	PARKS OTHER		1,000.00	1,000.00
39	STREET LIGHTING		25,000.00	25,000.00
40	TELEPHONE		10,000.00	10,000.00
41	CELL PHONES		2,500.00	2,500.00
42	NATURAL GAS		5,000.00	5,000.00
43	GASOLINE & OIL		25,000.00	25,000.00
44	GARBAGE & TRASH DISPOSAL		200,000.00	200,000.00
45	SOCIAL SECURITY		40,000.00	40,000.00
	DEFINED RETIREMENT			
46	CONTRIBUTION		200.00	200.00
47	BOND ANTICIPATION NOTES		286,425.00	286,425.00
48	NOTE INTEREST		180,000.00	180,000.00
49	<u>COURT</u>	<u>30,000.00</u>	<u>2,500.00</u>	<u>32,500.00</u>
	SUB-TOTAL	511,250.00	1,318,125.00	1,829,375.00
	<u>WATER UTILITY FUND</u>			
50	WATER	<u>100,000.00</u>	<u>150,000.00</u>	<u>250,000.00</u>
	TOTAL WATER OPERATING	100,000.00	150,000.00	250,000.00

That said emergency temporary appropriations have been provided for in the 2009 Budget under the aforementioned line items.

That one certified copy of this resolution be filed with the Director of Local Government Services.

Motion:	Clayton	Second:	Verga
Approved:	Clark – Clayton – Feeney – Komsa – Roma – Verga	Opposed:	
Abstain:		Absent:	

RESOLUTION

#2009-154B RESOLVED by Mayor and Council to approve the 2009 Certified Bills List in the amount of
A: \$365,039.96 **B: \$470,798.56**

Motion: Roma Second: Clayton
 Approved: Clayton – Feeney – Komsa – Roma – Verga Opposed: Clark
 Abstain: Absent:

RESOLUTION

#2009- 155 RESOLVED by Mayor and Council to approve the minutes of the April 15 2009 Meeting of Mayor and Council.

Motion: Verga Second: Clayton
 Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
 Opposed:
 Abstain: Absent:

RESOLUTION

#2009-156 RESOLVED by Mayor and Council to approve the minutes of the Executive Sessions
 February 18, 2009 - March 4, 2009 – March 18, 2009 and April 1, 2009

TO TABLE:

Motion: Clark Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Opposed:
Abstain: Absent:

RESOLUTION

#2009-157 RESOLVED by Mayor and Council to approve the following rentals for the Community Center – Mayo Park

2009 Community Center				
May	31	Patton	Rental:	\$350
		155 Barnegat Blvd.	Deposit:	\$500
		Beachwood		
June	26	Jones; Mayor & Rutgers	Rental:	WAIVE
		Borough Beachwood	Deposit:	WAIVE
		Beachwood		
August	23	Iozzi	Rental:	\$350
		433 Halliard Ave	Deposit:	\$500
		Beachwood		
October_	03	Astra	Rental:	\$350
		124 Barnegat Blvd.	Deposit:	\$500
		Beachwood		

		Borough Beachwood	Deposit:	WAIVE
		Beachwood		
August	23	Iozzi	Rental:	\$350
		433 Halliard Ave	Deposit:	\$500
		Beachwood		
October_	03	Astra	Rental:	\$350
		124 Barnegat Blvd.	Deposit:	\$500
		Beachwood		
2010 COMMUNITY CENTER				
February	14	Walsh	Rental:	\$350
		517 Ship Ave	Deposit:	\$500
		Beachwood		
<u>MAYO PARK 2009</u>				
May	30	VanNortwick	Rental:	\$125
		608 Beacon Ave	Deposit:	\$175
		Beachwood		
June	06	Mead	Rental:	\$125
		709 Spar Ave	Deposit:	\$ 175
		Beachwood		
June	20	Burke	Rental:	\$125
		1510 Cable Ave	Deposit:	\$175
		Beachwood		
August	15	Finn	Rental:	\$75
		737 Ocean Ave	Deposit:	\$75
		Beachwood		
September	13	St. Paul Lutheran Church	Rental:	\$WAIVED
		130 Cable Ave	Deposit:	\$WAIVED
		Beachwood		
September	20	Beachwood Republican Organization	Rental:	\$WAIVED
		P.O. Box 252	Deposit:	\$WAIVED
		Beachwood		

Motion:
Approved:
Abstain:

Second:
Opposed:
Absent:

#2009-158 WHEREAS, on March 18, 2009 under Resolution #2009-106 approval was given for rental of the Community Center by Kirsten Schenk, 301 Ship Ave, Beachwood for July 26, 2009, noting all resident fees were posted (\$850.00); and

WHEREAS, on April 30, 2009 , written notice of cancellation was received by the Borough subjecting the applicant to a \$100 cancellation penalty.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood to authorize a refund of \$750.00 to Kirsten Schenk, 301 Ship Avenue Beachwood, for rental cancellation, said refund reflection a \$100 cancellation penalty.

Motion: Roma Second: Clayton
 Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-159 RESOLVED by Mayor and Council to approve the following Conferences Training Seminar

Date:	May 29 th , 2009	Linda Felton (Municipal Court)
Location:	Justice Complex – Trenton	
Subject:	Level II Criminal Class	
Vehicle:	Yes	
Cost:	\$0	

Date:	September 15, 2009 to April 8, 2010	Gabriel Silva (7 separate sessions)
Location:	Rutgers (New Brunswick)	
Subject:	Recycling Certification Program	
Vehicle:	Yes	
Cost:	\$1,536.00	

Motion: Roma Second: Clayton
 Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-160 AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-00011 TO LIEN HOLDER US BANK-CUST/SASS MUNI V DTR, IN THE AMOUNT OF \$ 538.01 PLUS A PREMIUM OF \$100.00

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 3.05 Lot 3, also known as 825 Ensign Avenue, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00011, was sold to US Bank-Cust/Sass Muni dtr, with a 0% interest rate and a premium of \$100.00; and,

WHEREAS, First American Real Estate Tax Services, has effected redemption on behalf of property owner, Veronica Neidhardt for certificate # 07-00011 in the amount of \$638.01.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey as follows:

1. Authorize the Treasurer to issue a check in the amount of \$1,101.63 payable to US Bank-Cust/Sass Muni dtr, 2 Liberty Place, 50S 16th Street; Suite 1950, Philadelphia, PA 19102 for the redemption of Tax Sale Certificate #07-00011 and refund of the premium

Motion: Roma Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

#2009-161 AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-00022 TO LIEN HOLDER CCTS CAPITAL, IN THE AMOUNT OF \$ 1,001.63 PLUS A PREMIUM OF \$100.00

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 4.02 Lot 9, also known as 708 Forepeak Avenue, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00022, was sold to CCTS Capital, with a 0% interest rate and a premium of \$100.00; and,

WHEREAS, First American Real Estate Tax Services, has effected redemption on behalf of property owner, Laura Alma Cullifer for certificate # 07-00022 in the amount of \$1,001.63.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey as follows:

1. Authorize the Treasurer to issue a check in the amount of \$1,101.63 payable to CCTS Capital, 1415 Route 70 E; Suite 504, Cherry Hill, NJ 08034 for the redemption of Tax Sale Certificate #07-00022 and refund of the premium

Motion: Roma Second: Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

RESOLUTION

#2009-162 AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-00062 TO LIEN HOLDER SOHEHA, IN THE AMOUNT OF \$ 1,052.17

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 11.39 Lot 6, also known as 309 Mizzen Avenue, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00062, was sold to Soheha, with a 0% interest rate; and,

WHEREAS, Aurora Loan Services, has effected redemption on behalf of property owners, Robert and Carol Sanfillipo for certificate # 07-00062 in the amount of \$1,052.17.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey as follows:

1. Authorize the Treasurer to issue a check in the amount of \$1,052.17 payable to Soheha, 55 Sharon Road, E22, Robinsville, NJ 08691 for the redemption of Tax Sale Certificate #07-00062

Motion: Roma Second: Clark
Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

]

RESOLUTION

#2009-163

AUTHORIZE REFUND OF REDEMPTION MONIES FROM LIEN #07-00036 TO LIEN HOLDER CRUSADER LIEN SERVICES., IN THE AMOUNT OF \$ 4,993.04 PLUS A PREMIUM OF \$2,600.00

WHEREAS, at the Municipal Tax Sale held on October 3, 2008, a lien was sold on Block 8.47 Lot 10, also known as 1524 Longboat Avenue, for 2007 delinquent municipal charges; and,

WHEREAS, this lien, known as Tax Sale Certificate #07-00036, was sold to Crusader Lien Services with a 0% interest rate and a premium of \$2,600.00; and,

WHEREAS, The law firm of Orlovsky, Grasso, Bolger, Mensching & Daly has effected redemption on behalf of property owner, Steven DeClemente for certificate # 07-00036 in the amount of \$4,993.04.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of Beachwood, in the County of Ocean, State of New Jersey as follows:

1. Authorize the Treasurer to issue a check in the amount of \$7,593.04 payable to Crusader Lien Services, 179 Washington Lane, Jenkintown, PA 19046 for the redemption of Tax Sale Certificate #07-00036 and refund of the premium

Motion: Roma Second: Clayton
 Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

RESOLUTION

#2009-164

RESOLUTION OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AWARDING A CONTRACT FOR THE RAILROAD AVENUE DRAINAGE – PHASE V CONTRACT TO FORTE BUILDERS, LLC IN THE AMOUNT OF \$276,299.00 IN ACCORDANCE WITH THE BOROUGH'S BID SPECIFICATIONS

WHEREAS, the Borough of Beachwood previously advertised for the receipt of bids on Wednesday, April 22, 2009 for the Railroad Avenue Drainage – Phase V project; and

WHEREAS, at the time of place for the receipt of bids seven (7) bids were received ranging from a low of \$276,299.00 to the high of \$419,999.99 and

WHEREAS, the Borough Engineers have reviewed said bids and have determined that the low bidder, Forte Builders, LLC, have submitted a bid less than the Engineer’s estimate and have recommended the same for award to Forte Builders, LLC; and

WHEREAS, the Borough's Attorney has reviewed all bid documentation and found same to be in proper form and order; and

WHEREAS, the Borough's Chief Financial Officer has certified that funds are available to award said contract; and

WHEREAS, it is the desire of this Governing Body to award the Contract to the low bidder, Forte Builders, LLC of Bayville, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of

Beachwood, County of Ocean and State of New Jersey as follows:

1. That the Borough Council hereby award a Contract to the low bidder, Forte Builders, LLC, for the Railroad Avenue Drainage – Phase V project in the amount of \$276,299.00 in accordance with the Borough’s bid specifications.
2. That upon the adoption of the within resolution, the Borough Clerk is authorized to forward a certified copy of it to the Borough Engineer, the Borough Treasurer and Forte Builders, LLC.
3. Additionally, upon adoption of said resolution the Clerk is authorized to return the bid securities of bidders 4 through 7 and to further return the bid securities of bidders 2 and 3 upon execution of the Contract by Forte Builders, LLC.

Motion: Roma Second: Clayton
 Mr. Roma offered comments. Advised he had a layout of the scope of work covering Spray (at Oak) to Windward up to Maple then over to Longboat where project would tie in. Bidding was very competitive from a low of \$276,299.00 to the high of \$419,999.99
 Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
 Abstain: Absent:

Prior to the introduction of the following ordinance Councilman Komsa detailed the intent of the Recreation Commission with regard to their summer day camp program, prompting the ordinance.

Ordinance #2009-04 First Reading – Title Only
ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AMENDING CHAPTER IX ENTITLED, “RECREATIONAL FACILITIES” AS IT AFFECTS FEES FOR THE SUMMER RECREATION PROGRAM

BE IT ORDAINED by the Borough Council of the Borough of Beachwood, County of Ocean and State of New Jersey, as follows:

SECTION 1. Section 9-4.2 of the Code of the Borough of Beachwood entitled, "Miscellaneous Recreation Fees", is hereby amended at subsection 2 (Other Fees), subsection (b) to delete the current section entitled, “Recreation Program” and to insert in its place and stead the following:

"(b) Recreation Program: Fees for the Summer Recreation Program shall be established by Resolution of the Governing Body to fall within the following guidelines on May 1st of each year:

<u>Recreation Fee:</u>	<u>Not To Exceed:</u>
Per Child	\$350.00
Maximum Family Fee (4 children & more)	\$1,115.00
Extended Summer Camp 2:30 p.m.-4:30 p.m.	\$200.00 (Per Child)

Special Events within the Summer Camp Program

\$50.00 (Per Child/Per Event)

SECTION 2. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 3. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

RESOLUTION

#2009-165 RESOLVED by Mayor and Council to approve Ordinance #2009-04 as presented on First Reading Title Only.

Motion: Clayton Second: Clark
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

Ordinance First Reading – Title Only

#2009-05 ORDINANCE OF THE BOROUGH OF BEACHWOOD, OCEAN COUNTY, NEW JERSEY AUTHORIZING THE CONVEYANCE OF REAL PROPERTY KNOWN AS LOTS 16 & 17 IN BLOCK F-38 PLAT FD ON MAP NUMBER 25 OF “BEACHWOOD, OCEAN COUNTY, NEW JERSEY” AND FURTHER KNOWN AS A PORTION OF TAX LOT 3 IN BLOCK 6.38 TO THE COUNTY OF OCEAN NATURAL LANDS TRUST FOR NOMINAL CONSIDERATION

BE IT ORDAINED by the Borough Council of the Borough of Beachwood, County of Ocean, and State of New Jersey, as follows:

SECTION 1. Authorization. The within transfer of real property not needed for public use by the Borough of Beachwood to the Ocean County Natural Lands Trust for nominal consideration is authorized pursuant to N.J.S.A. 40A:12-13(b)(1).

SECTION 2. The real property to be conveyed by the Borough to the Ocean County Natural Lands Trust comprises a portion of Tax Block 6.38, Lot 3 and also known as Lots 16 & 17 in Block F-38 Plat FD on Map No. 25 of “BEACHWOOD, OCEAN COUNTY, NEW JERSEY” filed in the Ocean County Clerk’s Office on January 2, 1915, which map is a subdivision of lands shown on “Boundary Line of ‘2000 Acre’ tract near Toms River, NJ, September 12, 1914 to be called Beachwood”, surveyed by A.D. Nickerson, C.E., and filed in the Ocean County Clerk’s office on November 11, 1914.

SECTION 3. The real property heretofore authorized to be conveyed shall be used in accordance with the adopted policies of the Ocean County Natural Lands Trust.

SECTION 4. This Ordinance repeals any inconsistent ordinance or ordinances or part or parts thereof.

SECTION 5. This Ordinance shall take effect immediately upon its final passage and publication as required by law.

RESOLUTION

#2009-166 RESOLVED by Mayor and Council to approve Ordinance #2009-05 as presented on First Reading Title Only

Motion: Feeney Second: Clark
Approved: Clark – Clayton – Feeney – Komsa - Verga:
Abstain: Roma Absent:

RESOLUTION

#2009-167 WHEREAS, the amount of district taxes for the School Year 2009-2010 payable by the Borough of Beachwood, amounts to the sum of \$6,786,914.36; and

WHEREAS, the amount requested in the schedule which follows does not exceed the district tax needed to meet the obligations of the Board of Education for any of the succeeding eight week periods.

NOW, THEREFORE BE IT RESOLVED that the official request for the district taxes to be paid for the School Year 2009-2010 shall be paid in accordance with the schedule as set forth below:

Table with 2 columns: PAYABLE ON OR BEFORE, AMOUNT. Rows include dates from September 24, 2009 to June 4, 2010 with corresponding amounts ranging from \$1,696,728.56 to \$1,696,728.60.

And be it further RESOLVED that this Resolution shall constitute the request for district taxes for the School Year 2009-2010.

Motion: Roma Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

CORRESPONDENCE:



BEACHWOOD ELEMENTARY SCHOOL PTO
901 Berkeley Avenue Beachwood, New Jersey 08722
Tel: (732) 505-5820

April 21, 2009

Dear Supporter,

On behalf of all the parents and students of Beachwood Elementary School, we would like to thank you for your support of our Comedy Night and Gift Auction that was hosted by the Beachwood Elementary School PTO on March 27,2009 at the Bayville Firehouse. The event would not have been possible without your generous donation. All funds raised will be used to provide our students with equipment and supplies needed to be successful in their academics and extra curricular activities.

Sincerely,
Heather Applegate, Treasurer Beachwood Elementary PTO

The following was requested for this agenda by Mayor Jones

Bette,
Please post this for discussion at our next meeting.

Mayor Ron Jones

Sent on the Now Network from my Sprint® BlackBerry

From: TheHaloClub@aol.com
Date: Thu, 16 Apr 2009 15:57:13 EDT
To: <beachwoodmayor@comcast.net>; <rebecca1919@gmail.com>; <TheHaloClub@aol.com>; <honeymoongidget@gmail.com>

Subject: approval request from the halo club

Dear Mayor Jones and all to whom this may concern,

Thank you for your amazingly quick response to my request to speak with you!

I am writing to ask for permission and approval from the governing body of Beachwood N.J. concerning the following:

On the date of Sunday May 16th, 2010, Rebecca and Michael Haller will be married at the Beachwood gazebo between the hours of noon and four o'clock. Their gazebo hours have already been arranged. They have then rented through a relative the Beachwood community center to have their reception at. Happily, they have several elderly guests (over 80 years of age) and would like permission to seat them in chairs at the wedding, and would assure that the seating would be placed on the macadam only, so as to preserve the integrity of the grounds. There would be a need for approximately 20 chairs. They would be set up and removed on the same day, and they would be reserved for the elderly only. The grounds of course would be left in the same condition that they were. To further respect the grounds, the bride plans to use some flower petals instead of a plastic runway, as well as to stay "green".

Without the chairs it would be incredibly difficult (if not impossible for a few) on a physical level alone for these guests to attend the ceremony. The groom's grandmother is 92 years old.

The couple are planning a Jewish wedding, and would also like to know if they may have permission for a chuppa,

pictured here :



The rental company's {ocean tent} write up states:

Some Religious wedding ceremonies require use of a chuppah It is a PVC frame white square measuring 7'x7'x7'

From experience I can tell you that this will not leave marks in the ground, as it does not have "tent stakes".

It is a Jewish religious Tradition to get married under a chuppa, which represents the bride and groom's new home.

In short, I am asking permission for the chairs, and the chuppa to be present for the 5/16/2010 date.

I do appreciate the importance of following rules, as well as the reasons set forth for them, and hope that it would be understood by all parties concerned that all precautions would be taken to ensure the preservation of the areas involved.

The most important part of planning any event is to plan and prepare ahead of time, so that you may address all issues in a timely fashion, to ensure the best possible outcome.

Thank you in advance for your consideration, we do look forward to running this event in your venue, and hopefully more in the future.

Have a wonderful day,

Holly Wagner,

The Halo Club

1

Mr. Roma suggested that Mrs. Clayton speak with the requestor and resolve issue. Clerk will get phone number.

ADDED TO
CORRESPONDENCE



Pack 70

Dear Mayor,

Cub Scout Pack 70 which is chartered by Beachwood Elementary is requesting use of Beachwood Beach on May 21, 2009 for our annual Bon Fire and Cub Scout Advancements. The event will be from 6:30-9pm.

We have applied for the fire permit and waiting for approval.

Thank You,

Francine Babcock

Francine Babcock 732-557-1557

Committee Chair Pack 70

RESOLUTION

#2009-168

To approve the request providing all permits obtained and clean up of site.

Motion: Roma Second: Clark
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga
Abstain: Absent:

CLERK: Noted that Affordable Housing Incorporated will be conducting a qualifying application round for our Block Grant Rehab program. Deadline May 29th for qualifying applicants.

RESOLUTION

#2009-169

RESOLVED to approve the Closeout of Mizzen Ave Water Main Replacement Contract with DSC Construction Co. Inc.

Motion: Roma Second: Feeney
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

Reports	
Mayor	No Report
Mrs. Clark	Congratulated Environmental on Beach Clean Up
	Barnegat Bay Estuary awarded medallion to the Borough which will be placed at the Beach area. Girls Softball up and running. Arbor Day - Shade Tree Commission planted tree at Jakes Branch. Lifeguards in process of being hired. Tomorrow National Prayer Day. First Aid building looks great. Good job by the Committee.
Mrs. Clayton	First Aid Building - long road. Tentative June 1 will have more info at next meeting. Building is pleasing to the eye. Pine Beach having final reading on Bond Ordinance, May 13. Rain has been hampering our Spring Clean Up. Fireworks will meet on May 14th. Decking at Community Center held up by rain. Letter from resident addressing the Cable Contract. Made issue of monies in contract to Fireworks. Contract on file, called for a one time donation of \$16,000 to Beachwood Elementary School for Computers only, nothing to Fireworks.
Mr. Feeney	No report
Mr. Komsa	Memorial Day Craft Fair Monday May 25 th 11:00 – 4:00 - Summer Day Camp registration dates going on. Final registration May 28 th . Running 5 weeks June to July. Will have extended hours 2:30 – 4:30 Happy Mothers Day
Mr. Roma	Water Tower under construction. Ahead of schedule. Work week is 8 on and 8 off. Completion expected early fall. To Mayor about call on possible funding via Congressman Adler to municipalities. Spoke with Mr. Adlers office, the funding is only for federal highway projects. Appreciates heads up. Funding is not applicable to Beachwood. Understands that Beachwood may not qualify for "funding" (free) from EIT. Mr. Komsa looking into solar tubing for public works and Borough Hall. Will be reviewing under finance committee. Happy Mothers Day.
Mrs. Verga	No report
Mr. Oris	Award for phase V ... should begin within 3 – 4 weeks. Will notify residents in area affected. Moving forward on Close Out of Phase IV.
Mr. Hiering	Verizon supplying information on moving to monopole.
Clerk	Energy Audit Report proposals received 5/5 and turned over to Engineer.

PUBLIC DISCUSSION: To Open

Motion: Roma Second: Komsa
 Approved: Clark – Clayton – Feeney – Komsa – Roma – Verga

Public Discussion	
LaCrosse 708 Forecastle	Appointment of Woodward to Land Use Board. ? Alternate #2? (Christopher Marx) Under normal circumstances doesn't alternate #2 usually become Alternate #1. Why did Mr. Boyle resign. ?
	Mr. Roma noted that several Land Use meetings ago, he noted he was not happy. I have not seen his letter of resignation.
LaCrosse	In last year a lot of people resigning from boards/commission, more than I can ever remember happening before. Are we looking at the appointees to see if they are going to be serving. How many of your appointees have resigned.? To Mayor: I'm not going to answer your questions. Question on Executive Session and if they should be on the Web Site. Any bill received re: Special Counsel for Land Use Board.
Mr. Roma	Thinks one bill was approved to be paid at last Land Use Meeting, but that could have been for court case. What was approved was around \$1,800 (first round litigation).
Mrs. Clark	Mr. Boyle's resignation a great loss to the Board.
Mr. LaCrosse	Several people put in their letter of interest to serve on the board . One an Engineer , he was overlooked by the Mayor. One a member of 15 or 16 years, he was overlooked.
J. Balazinski	To Mrs. Clark if there is going to be an apology with regard to the "falsified complaint" that led to the rights hearing, that was filed against Borough individuals. Mrs. Clark: I don't believe there was any falsified complaint. Mr. Balazinski: Re: Photo. You claimed to lawyer that you didn't know what the photo was of. That was the basis of the complaint you had. Therefore I believe that substantiates an apology being given to them.
Mrs. Clark	Unfortunately I believe this is still being investigated at this time and I can't answer any questions.
Balazinski	Did Mr. Woodward submit letter of interest to join the Planning Board prior to tonight?
Mayor	I can't respond to you, we're in litigation.

	<p>Mr. Balazinski: This has nothing to do with litigation. Mayor: It does, I will not respond to you Balazinski: It does not have anything to do with litigation, it has to do with Mr. Woodward's qualifications Mayor: I will not respond to you.</p>
Mr. Roma	<p>Asked Question - Mayor ? Did Mr. Woodward submit letter of interest ? Mayor: No and its not necessary either. Mr. Roma: It's the Mayor's choice</p>
Solowinsky – Cable Ave	<p>At the meeting (attended by Karl Mohl) Mrs. Clark stated " can't we just let this go away" . It wasn't in the minutes, and I want it in the minutes. Tina Clark, there is nothing to investigate. You said, "can't we just let this go away" so what's to investigate. I'm sending a letter to the Ethics Board on you. Mrs. Clark: I am not talking about the Rice notice investigation. I'm talking about the picture.</p>
Lamar - Cable Ave	<p>First Aid Building beautiful. Having problem with neighbor. Puts heavy garbage out 2/3 weeks ahead of schedule. This time it was dangerous because he had replaced the windows at his house, had panes and panes of glass outside the house and wood. Called Code Enforcement Officer. She said she would take care of it. Found out a few days later she sent letter. Resident just moved things further back on his property. Thinks this is a wrong way to handle. Lots of glass dangerous to the neighborhood. What do we do about this in the future.</p>
Mr. Roma	<p>We have an ordinance addressing same.</p>
Mrs. Verga	<p>She tried to work with the gentlemen. It's really hard sometimes. She did the best she could. Would like to know if he had permits for windows. Roma: He could have asked for a Special pick up.</p>
Mrs. Clayton	<p>Drove by to inspect area. (1308 Cable Ave)</p>
Mrs. Verga	<p>We are trying to get the Code Enforcement Office to enforce the laws. She's the only person taking care of 11,000 people.</p>
Lamar	<p>Any complaints about water being strong chlorine. Problems in the morning. Mr. Oris – At times you can experience equipment malfunction. Will check it out.</p>
LaCrosse	<p>Treating water - post chlorination issue. Sometimes the chlorine will build up, when there is less use, like early morning.</p>

DiBella 1008 Halliard Ave	Question about letter of interest in Board, if you remember last year, in Jan/Feb issue of letters of interest. Aside from that there was a contract put out (2007) signed by the Mayor and the two council women, which stated people will be selected based on qualifications. How are we doing selecting people based on their qualifications.
Mrs. Verga	Explained her department.
DiBella	How about you Mayor Jones, you signed this.? Mayor Jones: We're in litigation, I'm not responding to you. Re: June 26 - Request for use of Community Center by Mayor and Rutgers ? Joint meeting of Mayors and Rutgers for Going Green and Rain Gardens. Requested by phone from Mayor.
DiBella	Re: March 11th OPRA request. – Re: What recording system and who operated system for the March 9 th meeting of Land Use Meeting. Clerk was unsuccessful in getting the information. Former Land Use Board member Mr. Boyle advised that Mrs. Clark recorded the Meeting. To Mrs. Clark What recording system did you use.
Mrs. Clark	Did not record.
DiBella	Does anyone know who recorded it. Asking Attorney to address .
Mr.Roma	It was in the minutes – Those minutes were later approved. So the statement that was made was approved.
Mr. DiBella	OPRA request for tapes of Environmental Com. Was told they were destroyed. Are minutes still destroyed or can I have the tapes. Re: October Environmental Executive Session Minutes.
	Dress Code amongst members of Council -
	Did we receive any Grant money in the first quarter of 2009 - (Listed by Mr. Mauder) How does that compare to 2008.
	To Mrs. Verga - maybe time to look at part time assistance to Code Enforcement. Mrs. Verga - working on court issue addressed by Mr. DiBella.
Merola	Notice in woods behind his home, tent / campsite set up. Spoke with Police and Mayor. Curious about outcome.
Mr.Roma	Chief called to advise that they did not find anyone at the site at that time but they are keeping an eye on the area. County will be doing a fly over and will

	include this area.
R. Hull - Cranberry Rd.	Had some complaints and did a walk through. It's on the South Toms River side - Police inspected and notified So. Toms River etc.

PUBLIC DISCUSSION: To Close

Motion: Roma **Second:** Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

EXECUTIVE SESSION

WHEREAS, SECTION 8 of the N.J. Open Public Meetings Act, N.J.S.A. 10:4-12 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Beachwood, County of Ocean, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter
2. The general nature of the subject of the subject matter to be discussed is as follows:

Terms and Condition of Employment : Fire Personnel
Contractual - Engineer

3. It is anticipated that the subject matter discussed **may be made public in 90 days.**

Motion: Roma **Second:** Verga
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

RE-OPEN

Motion: Roma **Second:** Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma - Verga

ACTION TAKEN RESULTING FROM EXECUTIVE SESSION THIS DATE:

CONTRACTUAL: Discussion of Contract for Engineering firm to continue serving as T2W2 Licensed Operator for Water:

RESOLUTION:

#2009-170 RESOLVED by Mayor and Council to approve the agreement between the Borough of Beachwood and CMX Engineering for Water Treatment Plant T2W2 License (2009-2010) not to exceed \$8,500.

Motion: Roma **Second:** Feeney
Approved: Clark – Clayton – Feeney – Komsa – Roma –Verga

TERMS AND CONDITION OF EMPLOYMENT
POTENTIAL LITIGATION

Council discussed 2 letters sent by Mayor Jones to DCA alleging improprieties on the part of the Borough. Mayor Jones would not elaborate on his claims, for the second time, so Council is authorizing the following:

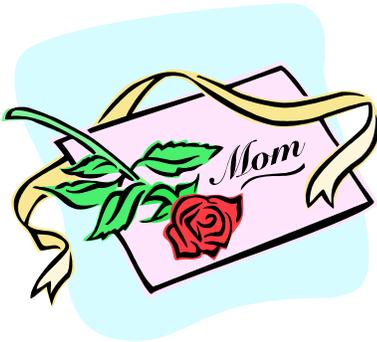
RESOLUTION

#2009-171 To Authorize the Municipal Attorney to send a letter to any and all agencies regarding allegations against the Borough of Beachwood made by Mayor Jones regarding any improprieties on the part of the Borough of Beachwood.

Motion: Roma Second: Komsa
Approved: Clark – Clayton – Feeney – Komsa – Roma –Verga

TO ADJOURN

Motion: Roma Second: Clayton
Approved: Clark – Clayton – Feeney – Komsa – Roma –Verga



Happy Mothers' Day to all our wonderful Mom's